

Remarks

This Amendment is in response to the Office Action dated **January 21, 2010**.

Claims 1-26 and 58-60 are pending in this application. The Office Action rejected claims 1, 5, 6, 15-20, 58 and 60 under 35 USC § 102 over Wolvek (US 4276874); rejected claim 16 under 35 USC § 102 over Fulton (US 6074374); rejected claims 2-4, 7-10 and 14 under 35 USC § 103 over Wolvek in view of Fulton; rejected claim 11 under 35 USC § 103 over Wolvek in view of Fulton and further in view of Follmer (US 5728065); rejected claims 12 and 13 under 35 USC § 103 over Wolvek in view of Follmer; rejected claims 21-24 under 35 USC § 103 over Wolvek in view of Imran (US 5766203); rejected claims 25 and 26 under 35 USC § 103 over Wolvek in view of Hamilton (US 6514228); and rejected claim 59 under 35 USC § 103 over Wolvek in view of Chee (US 5906606).

By this Amendment, claim 1 amended for the purpose of furthering prosecution. The amendment is supported by at least Figure 2. Applicants reserve the right to prosecute any cancelled subject matter in a subsequent patent application claiming priority to the immediate application. Reconsideration in view of the above amendments and the following remarks is requested.

Claim Rejections - Fulton

The Office Action rejected claim 16 under 35 USC § 102 over Fulton. This rejection is traversed.

Claim 16 recites, “wherein said second region comprises entrained stiffening fibers selected from a group consisting of polypropylene fibers and polyolefin fibers.”

Fulton does not disclose or suggest entraining stiffening fibers as required by claim 16.

The rejection does not mention the limitations of claim 16 quoted above, but makes the following assertion at page 3:

The catheter has a
first region (the recessed portion) that is more flexible than the second region (the main
shaft portion) because of the reduced size.

The rejection's assertion regarding flexibility does not amount to a showing of the claimed limitations in the Fulton reference. Fulton does not disclose or suggest each limitation of claim 16, and does not anticipate claim 16. Applicants request withdrawal of the rejection over Fulton.

Claim Rejections - Wolvek

The Office Action rejected claims 1, 5, 6, 15-20, 58 and 60 under 35 USC § 102 over Wolvek; rejected claims 2-4, 7-10 and 14 under 35 USC § 103 over Wolvek in view of Fulton; rejected claim 11 under 35 USC § 103 over Wolvek in view of Fulton and further in view of Follmer; rejected claims 12 and 13 under 35 USC § 103 over Wolvek in view of Follmer; rejected claims 21-24 under 35 USC § 103 over Wolvek in view of Imran; rejected claims 25 and 26 under 35 USC § 103 over Wolvek in view of Hamilton; and rejected claim 59 under 35 USC § 103 over Wolvek in view of Chee.

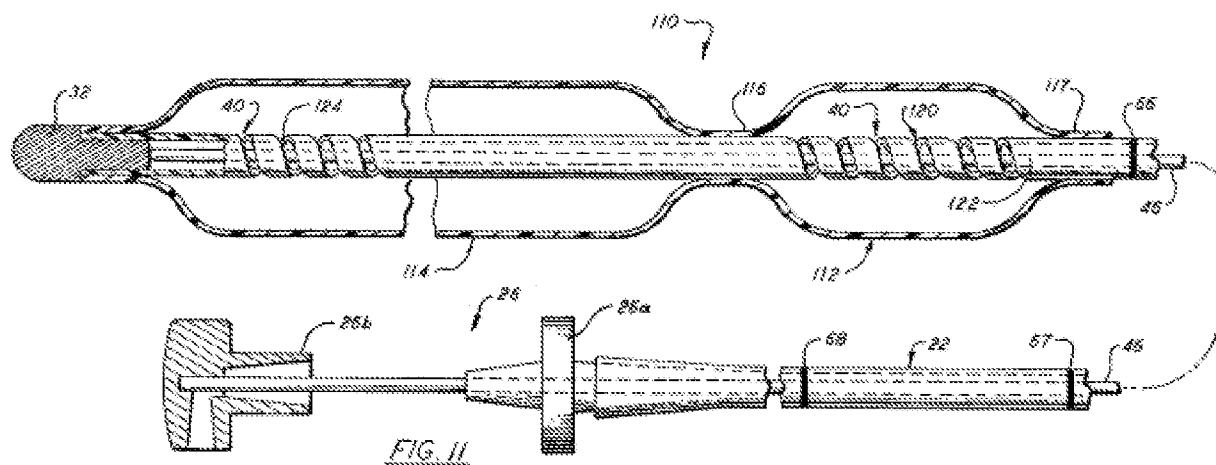
These rejections are traversed; however, claim 1 is amended for the purpose of furthering prosecution of the application.

Independent Claim 1

The rejections applying Wolvek are traversed because claim 1 recites, "in an unexpanded state at least a portion of the balloon being stored in the first recessed portion." Wolvek does not disclose or suggest these limitations.

Claim 1 has further been amended and recites, "said recessed portions not in fluid communication with said guidewire lumen."

The rejection characterizes the Wolvek openings 120, 124 as the claimed "recessed portions." See Office Action at pages 3-4 and Wolvek Figure 11, provided below.



The amendment to claim 1 precludes the interpretation of Wolvek asserted in the rejection. In Wolvek, the openings 120, 124 are in fluid communication with the guidewire lumen. The Wolvek arrangement is explicitly excluded by the limitations of amended claim 1.

Wolvek does not disclose or suggest a “recessed portion” as recited in claim 1. Therefore, Wolvek does not anticipate claim 1. Further, even if the modifications to Wolvek proposed in view of additional references were made, the resulting device would not meet the limitations of the rejected claims.

Applicants request withdrawal of the rejections asserted against independent claim 1 and claims 2-15, 17-26, 59 and 60, dependent therefrom, under 35 USC §§ 102&103.

Independent Claim 16

Claim 16 recites, “wherein said second region comprises entrained stiffening fibers selected from a group consisting of polypropylene fibers and polyolefin fibers.”

Wolvek does not disclose or suggest entrained stiffening fibers, and therefore does not anticipate claim 16, or claim 58 dependent therefrom.

Applicants request withdrawal of the rejection of independent claim 16, and claim 58 dependent therefrom, under 35 USC § 102 over Wolvek.

Conclusion

Based on at least the foregoing amendments and remarks, Applicants respectfully submit this application is in condition for allowance. Favorable consideration and prompt allowance of claims 1-26 and 58-60 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

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